

Introduced by Senator Huff

February 5, 2009

An act to repeal Sections 48314.5 and 48315 of the Education Code, relating to pupil attendance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 129, as introduced, Huff. Pupil attendance: interdistrict transfers.

(1) Existing law requires each person between the ages of 6 and 18 years, who is not otherwise exempt, to attend the public full-time day school in the school district in which his or her parent or guardian is a resident. The governing board of a school district is authorized to accept interdistrict transfers by admitting pupils residing in other school districts to attend its schools, subject to specified conditions. A school district that elects to accept interdistrict transfers is required to keep an accounting of all requests made for alternative attendance and records of all disposition of those requests and to report this information to the Superintendent of Public Instruction who is required to make this information available to the Governor, the Legislature, and the public on an annual basis. Existing law prohibits a school district that had not elected to accept interdistrict transfers prior to a specified date from electing to accept interdistrict transfers.

This bill would delete that prohibition.

(2) Existing law makes the provisions governing interdistrict transfers inoperative on July 1, 2009, and repeals these provisions on January 1, 2010.

This bill would delete the inoperative and repeal dates of these provisions thereby extending the operation of these provisions indefinitely except as described in (1), above.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48314.5 of the Education Code is
2 repealed.

3 ~~48314.5. Notwithstanding any other provision of this article,~~
4 ~~commencing on the effective date of the act adding this section,~~
5 ~~the governing board of a school district that has not previously~~
6 ~~elected to participate in interdistrict transfers pursuant to this article~~
7 ~~shall not elect to become a school district of choice.~~

8 SEC. 2. Section 48315 of the Education Code is repealed.

9 ~~48315. This article shall become inoperative on July 1, 2009,~~
10 ~~and, as of January 1, 2010, is repealed, unless a later enacted~~
11 ~~statute, which becomes effective on or before January 1, 2010,~~
12 ~~deletes or extends the dates on which it becomes inoperative and~~
13 ~~is repealed.~~

14 SEC. 3. This act is an urgency statute necessary for the
15 immediate preservation of the public peace, health, or safety within
16 the meaning of Article IV of the Constitution and shall go into
17 immediate effect. The facts constituting the necessity are:

18 In order to ensure that pupils continue to have the opportunity
19 to apply for interdistrict transfers, it is necessary that this act take
20 effect immediately.